

AMENDED IN SENATE MAY 27, 2005
AMENDED IN SENATE MAY 11, 2005
AMENDED IN SENATE APRIL 26, 2005
AMENDED IN SENATE MARCH 29, 2005

SENATE BILL

No. 629

**Introduced by Senator Dutton
(Coauthor: Senator Alquist)**

February 22, 2005

An act to amend, repeal, and add Section 12816 of, and to add and repeal Section 12804.11 of, the Vehicle Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

SB 629, as amended, Dutton. Vehicles: driver's license: registered sex offenders.

Existing law provides that the expiration date for an original driver's license or a driver's license renewal is the 5th birthday of the applicant following the date of the application for the license or the expiration of the license renewed.

Existing law requires a person convicted of certain sex offenses to register with the chief of police or sheriff of the city or county in which the person is residing or located, and with the chief of police of a campus of the University of California, the California State University, or community college if he or she is residing or located upon the campus or in any of its facilities, within 5 working days of coming into, or changing his or her residence or location. This requirement applies for the rest of the person's life while residing or present in this state.

This bill would prohibit the Department of Motor Vehicles (DMV) from issuing an original driver's license or driver's license renewal to a person required to be registered as a sex offender unless the driver's license or renewal is *issued as a limited term license* for a term of ~~one year~~ 2 years, and would *expressly* authorize the DMV to ~~annually charge persons subject to those provisions specified fees for the application or renewal of~~ *renew by mail* a driver's license *issued under these provisions*. The bill would require the Department of Justice, on or before January 1, 2010, to report to the Legislature on the effectiveness of the one year renewal requirement in monitoring registered sex offenders, including specified information. The bill would repeal these provisions on January 1, 2011.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12804.11 is added to the Vehicle Code,
2 to read:
3 12804.11. (a) The department shall not issue an original
4 driver's license or driver's license renewal to a person required to
5 be registered under Section 290 of the Penal Code, except as
6 authorized under this section.
7 (b) The driver's license or renewal shall be ~~for a term of one~~
8 ~~year.~~
9 ~~(c) The department may annually charge persons subject to~~
10 ~~this section the fees required by Sections 14900 and 14900.1.~~
11 *issued as a limited term license subject to Section 12508 and*
12 *shall be for a term of two years.*
13 *(c) The department may renew by mail a driver's license*
14 *issued under this section consistent with the renewal*
15 *requirements established under subdivisions (a) and (c) of*
16 *Section 12814.5.*
17 (d) All other requirements for a driver's license or renewal
18 shall apply to persons subject to this section.
19 (e) On or before January 1, 2010, the Department of Justice
20 shall report to the Legislature on the effectiveness of this section
21 in monitoring registered sex offenders, including all of the
22 following:

1 (1) The cost of cross-checking sex offender registration
2 information with Department of Motor Vehicles records.

3 (2) The annual number and percentage of registrants'
4 addresses checked using Department of Motor Vehicles records.

5 (3) The annual number and percentage of registrants with
6 registration in conflict with Department of Motor Vehicles
7 records.

8 (4) Enforcement followup conducted by the Department of
9 Justice and local law enforcement on registrants with registration
10 information in conflict with Department of Motor Vehicles
11 records.

12 (f) This section shall remain in effect only until January 1,
13 2011, and as of that date is repealed, unless a later enacted
14 statute, that is enacted before January 1, 2011, deletes or extends
15 that date.

16 SEC. 2. Section 12816 of the Vehicle Code is amended to
17 read:

18 12816. (a) Except as required under Section 12804.11, every
19 original driver's license expires on the fifth birthday of the
20 applicant following the date of the application for the license.

21 (b) Except as required under Section 12804.11, renewal of a
22 driver's license shall be made for a term that expires on the fifth
23 birthday of the applicant following the expiration of the license
24 renewed, if application for renewal is made within six months
25 prior to the expiration of the license to be renewed, or within 90
26 days after expiration of the license. If renewal is not applied for
27 within 90 days after expiration of the license, the application and
28 fee is considered the same as an application for an original
29 license.

30 (c) The department may accept application for a renewal of a
31 driver's license made more than six months prior to the date of
32 expiration. Except as required under Section 12804.11, the
33 renewal shall be made for a term that expires on the fifth birthday
34 of the applicant following the date of the application for the
35 renewal license.

36 (d) The department may accept an application for a license of
37 a different class made more than six months before the expiration
38 of the license previously issued, if the previously issued license is
39 surrendered for cancellation in accordance with Section 13100.
40 Except as required under Section 12804.11, the driver's license

1 issued from that application expires on the fifth birthday of the
2 applicant following the date of the application.

3 (e) Notwithstanding subdivisions (a), (b), (c), and (d), the
4 department may adjust the expiration date for any driver's license
5 issued pursuant to this code.

6 (f) This section shall remain in effect until January 1, 2011,
7 and as of that date is repealed, unless a later enacted statute, that
8 is enacted before January 1, 2011, deletes or extends that date.

9 SEC. 3. Section 12816 is added to the Vehicle Code, to read:

10 12816. (a) Every original driver's license expires on the fifth
11 birthday of the applicant following the date of the application for
12 the license.

13 (b) Renewal of a driver's license shall be made for a term that
14 expires on the fifth birthday of the applicant following the
15 expiration of the license renewed, if application for renewal is
16 made within six months prior to the expiration of the license to
17 be renewed, or within 90 days after expiration of the license. If
18 renewal is not applied for within 90 days after expiration of the
19 license, the application and fee is considered the same as an
20 application for an original license.

21 (c) The department may accept application for a renewal of a
22 driver's license made more than six months prior to the date of
23 expiration. The renewal shall be made for a term that expires on
24 the fifth birthday of the applicant following the date of the
25 application for the renewal license.

26 (d) The department may accept an application for a license of
27 a different class made more than six months before the expiration
28 of the license previously issued, if the previously issued license is
29 surrendered for cancellation in accordance with Section 13100.
30 The driver's license issued from that application expires on the
31 fifth birthday of the applicant following the date of the
32 application.

33 (e) Notwithstanding subdivisions (a), (b), (c), and (d), the
34 department may adjust the expiration date for any driver's license
35 issued pursuant to this code.

36 (f) This section shall become operative on January 1, 2011.